

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

TRUSTEES OF GREEK ORTHODOX CHURCH OF NORTHERN VIRGINIA, AKA SAINT KATHERINE GREEK ORTHODOX CHURCH, SPA 93-M-119-3 Appl. under Sect(s). 3-303 and 8-301 of the Zoning Ordinance to amend SP 93-M-119-02 previously approved for church and nursery school to permit the addition of a private school of general education. Located at 3149 Glen Carlyn Rd., Falls Church, 22041, on approx. 4.43 ac. of land zoned R-3. Mason District. Tax Map 61-2 ((1)) 16. (Admin. moved from 9/17/14 at appl. req.) Ms. Theodore moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on December 3, 2014; and

WHEREAS, the Board has made the following findings of fact:

1. The owner of the property is the applicant.
2. The present zoning is R-3.
3. The area of the lot is 4.43 acres.
4. As heard today and as reflected in the staff report, the special permit amendment is intended to allow the addition of a private school of general education, but it would not increase the overall enrollment of 80 students.
5. The prior special amendment approved the nursery school for up to 80 children and this level of enrollment would be maintained for both the nursery school and the private school combined, which would have kindergarten through third grade students.
6. The applicant is also requesting a year-round operation for the school, which is expanded and differs from the prior approval of September through June.
7. The applicant has worked with staff on previous applications to ensure that traffic impacts and other issues that have previously been raised by surrounding neighbors for the proposed use are mitigated. In that regard, the Board has not had concerns raised either, in writing or in testimony at today's hearing, from adjacent neighbors or other potentially affected members of the community regarding this proposal.
8. Staff is recommending a reaffirmation of a modification of the transitional screening and barrier requirements along all lot lines to permit the existing vegetation as shown on the special permit plat and as reflected in the proposed development conditions, and the Board agrees with those conditions. Staff is also recommending approval and the Board agrees with those findings.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only, Trustees of Greek Orthodox Church of Northern Virginia, AKA Saint Katherine Greek Orthodox Church, and is not transferable without further action of this Board, and is for the location indicated on the application, 3149 Glen Carlyn Road, and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat prepared by Aaron M. Vinson (Walter L. Phillips, Inc.), dated June 12, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this special permit amendment and the new Non-Residential Use Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This special permit amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The maximum number of seats in the main area of worship shall be 525.
6. All parking shall be on site as depicted on the special permit amendment plat.
7. Prior to the issuance of a Non-Residential Use Permit (Non-RUP) for the nursery school and private school of general education, the applicant shall obtain an approved shared parking agreement or parking reduction. If a shared parking agreement or parking reduction is not approved by DPWES, the number of seats in the sanctuary and/or the number of children in the nursery school/private school of

general education shall be reduced to correspond to a number that can be supported by the parking spaces provided on site as determined by DPWES.

8. There shall be no clearing of vegetation or grading inside of the Environmental Quality Corridor line designated on the special permit plat except for the removal of dead and dying trees as determined by Urban Forest Management Division. There shall be no structures located in the EQC area.
9. The existing play area shall be relocated outside of the Environmental Quality Corridor line/Resource Protection Area boundary, and in an area on site outside the minimum required front yard, transitional screening areas, and parking lot.
10. Upon issuance of the new Non-Residential Use Permit for this special permit, the total maximum daily enrollment in the nursery school and private school of general education shall be limited to 80.
11. The nursery school's/private school of general education's maximum hours of operation shall be 7:30 A.M. to 6:00 P.M., weekdays, year-round.
12. A left-turn lane shall be provided by striping the existing pavement at the entrance opposite South Manchester Street subject to the review and approval of the Department of Transportation.
13. The applicant must meet the Department of Environmental Management's Water Management Ordinance and the Chesapeake Bay Preservation Ordinance.
14. Transitional screening shall be maintained in accordance with the following: along the northern and western lot lines, existing vegetation shall be maintained between the lot lines and the existing buildings, and this shall be deemed to satisfy Transitional Screening 1.
 - Along the southern lot line, the existing vegetation shall be maintained between the buildings and the northern bank of Long Branch, and this shall be deemed to satisfy Transitional Screening 1.
 - Along the eastern lot line, plantings shall be maintained between the six foot high fence and the parking lot and driveway and this shall be deemed to satisfy Transitional Screening 1. Any dead and/or dying vegetation shall be replaced with vegetation of like kind and size.
 - Along the northern and western lot lines, existing vegetation supplemented by plantings, to the maximum extent possible, that are placed between the lot lines and the existing and proposed buildings shall be deemed to satisfy Transitional Screening 1. The size, type and quantity of these plantings shall be equivalent to Transitional Screening 1.

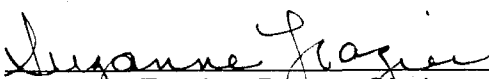
- Along the southern lot line, the existing vegetation supplemented by plantings, to the maximum extent possible, that are placed between the building addition and the northern bank of Long Branch shall be deemed to satisfy Transitional Screening 1. The size, type, and quantity of these plantings shall be equivalent to Transitional Screening 1.
 - Along the eastern lot line, supplemental plantings, to the maximum extent possible, shall be placed between the six (6) foot high fence and the parking lot and driveway and shall be deemed to satisfy Transitional Screening 1.
15. Any proposed lighting of the parking areas shall be in accordance with the following:
- The combined height of the light standards and fixtures shall not exceed twelve (12) feet.
 - The lights shall focus directly onto the subject property.
 - Shields shall be installed, if necessary, to prevent the light from projecting beyond the facility.
16. All signage, both existing and proposed, shall satisfy requirements contained in Article 12 of the Zoning Ordinance.

These conditions incorporate and supersede all previous conditions. This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Smith seconded the motion, which carried by a vote of 7-0.

A Copy Teste:


Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals